

MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

PART I: GENERAL INFORMATION

Type of Requestor: (x) HCP () IE () IC	Response Timely Filed? () Yes (x) No
Requestor's Name and Address Presbyterian Hospital of Dallas P.O. Box 910013 Dallas, TX 75391	MDR Tracking No.: M4-03-7287-01
	TWCC No.:
	Injured Employee's Name:
Respondent's Name and Address Twin City Fire Insurance Co. c/o Barbara Sachse Box 27	Date of Injury:
	Employer's Name: LGG Construction Co., Inc.
	Insurance Carrier's No.: YBUC 24212

PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
10/30/02	11/03/02	Inpatient Hospitalization	\$35,102.05	\$0.00

PART III: REQUESTOR'S POSITION SUMMARY

The Requestor did not submit a Position Summary; however the Requestor's rationale on the Table of Disputed Services states, "Per Rule 134.401(c)(6)".

PART IV: RESPONDENT'S POSITION SUMMARY

The Respondent did not submit a Position Summary.

PART V: MEDICAL DISPUTE RESOLUTION REVIEW SUMMARY, METHODOLOGY, AND/OR EXPLANATION

This dispute relates to inpatient services provided in hospital setting with reimbursement subject to the provisions of Rule 134.401 (Acute Care Inpatient Hospital Fee Guideline). The hospital has requested reimbursement according to the stop-loss method contained in that rule. Rule 134.401(c)(6) establishes that the stop-loss method is to be used for "unusually costly services." The explanation that follows this paragraph indicates that in order to determine if "unusually costly services" were provided, the admission must not only exceed \$40,000 in total audited charges, but also involve "unusually extensive services."

A review of the medical documentation reveals other diagnosis associated with a cardiac murmur and tachycardia, which may or may not have altered the services rendered. However, this particular surgery resulted in "severe postoperative pain" which required a consultation and an alternative course to enable the patient to be discharged in a timely manner. Based on a combination of these factors, it does appear that the stop-loss method applies and the reimbursement is to be based on the stop-loss methodology.

The total audited charges associated with this admission equals \$53,271.41. This amount multiplied by the stop-loss reimbursement factor (75%) results in a workers' compensation reimbursement amount equal to \$39,953.56.

The Requestor received reimbursement in the amount of \$4,841.75 by the carrier. Based on the facts of this situation, the parties' positions, and the application of the provisions of Rule 134.401(c), we find that the health care provider is entitled to a reimbursement amount for these services equal to \$35,111.81.

PART VI: COMMISSION DECISION

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is entitled to additional reimbursement in the amount of \$35,111.81. The Division hereby **ORDERS** the insurance carrier to remit this amount plus all accrued interest due at the time of payment to the Requestor within 20-days of receipt of this Order.

Ordered by:

Allen McDonald

04/05/05

Authorized Signature

Typed Name

Date of Order

Decision by:

Marguerite Foster

04/05/05

Signature

Typed Name

Date of Decision

PART VII: YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the Decision and has a right to request a hearing. A request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings/Appeals Clerk within 20 (twenty) days of your receipt of this decision (28 Texas Administrative Code § 148.3). This Decision was mailed to the health care provider and placed in the Austin Representatives box on _____. This Decision is deemed received by you five days after it was mailed and the first working day after the date the Decision was placed in the Austin Representative's box (28 Texas Administrative Code § 102.5(d)). A request for a hearing should be sent to: Chief Clerk of Proceedings/Appeals Clerk, P.O. Box 17787, Austin, Texas, 78744 or faxed to (512) 804-4011. A copy of this Decision should be attached to the request.

The party appealing the Division's Decision shall deliver a copy of their written request for a hearing to the opposing party involved in the dispute.

Si prefiere hablar con una persona in español acerca de ésta correspondencia, favor de llamar a 512-804-4812.

PART VIII: INSURANCE CARRIER DELIVERY CERTIFICATION

I hereby verify that I received a copy of this Decision in the Austin Representative's box.

Signature of Insurance Carrier: _____ Date: _____